

Meeting Summary
National Saltwater Angler Registry Team
September 5, 2007

The Registry Team met by conference call on Sept. 5, 2007 from 2:00 PM to 4:30 PM, EDT.

Persons in attendance were:

Registry Team: Erik Barth; Brad Spear; Ron Regan; Dick Brame; Mark Robson; George Lapointe; Gordon Colvin.

Observers and Guests; Forbes Darby, NOAA-MRII Communication and Education Team; Josh DeMello, WPFMC; Preston Pate, NOAA-MRII Operations Team; John Depersenaire, RFA; Brian Culver, WA DFW; Corey Niles, WA DFW; Rob Andrews NOAA-MRII Operations Team.

A summary of the meeting outcomes follows.

1. Agenda. The meeting agenda was accepted (Attachment # 1).
2. Finalize comments and revisions for the Development Plan. The Team members discussed the August 20, 2007 draft of the Development Plan that had been prepared by Mr. Colvin and distributed to the Team members following the August 7 & 8 meeting.

Initially, the Team discussed the goal statement in the draft plan.

First Goal:

It was suggested that the word “cost” be removed from the second subgoal, since it may be inconsistent with charging a federal registration fee and state license fees. The Team agreed to make the change.

The Team discussed the issue of whether a time frame for achieving the goal should be included. It was decided that the focus of the plan needs to be on working in collaboration with the states to build a registry over time rather than having a final registry data base by some specific time certain. The words “Build over time” will be substituted for “Establish” at the beginning of the goal.

The draft goal proposed to get information for “all marine anglers and for-hire vessels”. It was suggested that such a goal is not attainable for several reasons, including: (1) the MSRA does not authorize federal registration of anglers in state waters (except those fishing for anadromous fish); (2) some exemptions to state license requirements and federal registration requirements will probably be allowed, notably youth anglers; (3) state license data bases will not be 100% complete and up to date due to factors including lifetime and combination license, license-holder “churn”, non-compliance, etc. Other Team members pointed out that, nonetheless, this is the clear

recommendation of the NRC panel. It was agreed to replace the word “all” with language that, in conjunction with the inclusion of the “Build over time” provision, would convey the intent that the registry data base would become sufficient to recover effort data that satisfies the intent of the NRC panel and congress. Further, it was pointed out that additional data, such as intercept data, could be utilized in certain instances to supplement effort estimates derived from registry frame surveys. Mr. Colvin will draft revisions to the goal that reflect the conclusions of this discussion for the Team’s early review.

Second goal: no comments or revisions suggested.

Third goal: It was agreed to revise the goal editorially to read as follows:
Achieve a high level of buy-in and confidence from anglers and state-federal scientists and managers in the quality and utility of the data that results from use of the directory.

The Team then discussed the remaining content of the draft Development Plan. It was suggested and agreed to add a Summary at the beginning of the plan. Mr. Colvin will draft the summary text and send to the Team for review. No other revisions were proposed. After the Team members complete their review of the goal revisions and the summary statement, and the Team accepts final text for these two sections, the Final Development Plan will be sent to the ESC for approval.

3. Finalize the Team’s Recommendations to the ESC regarding the recommended Approach to establishing the National Saltwater Angler Registry and State Exemption Program. The Team discussed the particulars of how to define the requirements for states to receive exemptions to the national registry requirement. Based on the outcome of the August 7 & 8 meeting, a list of issues was prepared and used to guide the discussion (Attachment # 2).

I. Issues related to defining the Hybrid Approach and to establishing Measurable Benchmarks for states to improve data submission and maintain Exempted State status

Issue A: Candidate state license exemptions that may be acceptable to receive Exempted State status, at least initially.

1. Youth < age 14-16: all states
2. Seniors: DE, VA, TX, LA, MS, AL, FL
3. Customers on licensed for-hire vessels: DE, MD, VA, NC, FL
4. Customers on licensed fishing piers: AL, FL, VA, NC
5. Active military: DE, FL
6. Disabled and/or disabled Veteran: DE, MD, VA, NC, MS, FL

It was noted that some exemptions may not be as significant as they might appear. For example, Florida’s active military exemption applies only to active duty personnel who are residents of the state while home on leave.

The Team's willingness to accept exemptions for persons who fish from licensed for-hire vessels and licensed piers is predicated on the understanding that other mechanisms exist (e.g. the for-hire survey) to capture angler effort from those modes of fishing.

There was discussion of how to capture the effort of young anglers who do not live in a household with an adult who will be in a license or registry frame. The Registry Team will discuss this concern with the Operations Team and see if a project can be planned to address the issue. However, the Team believes it will be necessary to accept youth exemptions to state license requirements as a matter of practical reality.

The Team recognizes that exemptions for senior anglers could result in non-sampling of a significant proportion of saltwater angling effort. However, the Team also recognizes that it will be difficult for states to obtain data on senior anglers, especially in the short term. Therefore, it was agreed to give states that exempt senior anglers some time to develop measures to obtain identification and contact information (see C below).

The Team agreed to recommend accepting all 6 of the listed state license exemptions in applications for Exempted State status.

Issue B: Candidate State license exemptions that may not be acceptable to receive Exempted State status:

1. Fishing on licensed private vessel: DE, MD, VA, FL
2. Fishing on privately-owned shore: VA
3. Fishing on a public pier: CA
4. Shore fishing: SC, FL
5. Waters not included in license requirement: MD
6. Licensed beach buggy occupant: DE
7. License to fish in state marine waters only: license not required to possess or land saltwater fish in state (see F below): DE, VA, SC, MS, CA, OR, AK

As with the preceding exemption, Team members noted that some exemptions that appear to potentially exclude large numbers of anglers may not. For example, Florida's private vessel license costs \$2000 annually, and only 19 were sold in 2005. Also, for some exempted types of fishing, a large proportion of exempted anglers may purchase a license anyway because they also fish in other non-exempted modes.

The Team discussed issues related to exemptions to licensing requirements for shore-based anglers. It was pointed out that, if a state is not granted Exempted State status due to shore based angling license exemptions, the same shore-only anglers that are not included in the state license data base will not be federally registered unless they fish for anadromous fish. However, the Team noted that the MSRA limitations on which anglers must register federally are separate from the provision that describes the basis for granting Exempted State status. Under the MSRA, a state can be denied Exempted State

status if it can not provide necessary registration data on shore-based anglers, even if the federal government can not enforce a registration requirement on those same anglers.

There was also a discussion of the basis for excluding licensed private vessel exemptions. While, in some states, these exemptions may exclude a large proportion of anglers from a license frame, the proportion of youth and senior anglers is also high, and those exemptions are proposed to be accepted initially. However, data from Virginia appears to validate the Team's concern that the licensed vessel category may involve a very high proportion of anglers. The Team also discussed the possibility of establishing a separate vessel survey-based effort estimate for licensed private vessels. However, the Operations Team members have concerns about duplication and other problems that would result from this approach. The Operations Team will draft a statement that describes the survey and data problems that result from the private vessel exemptions.

The Team concluded that it will continue to recommend that states with license exemptions in categories 1-6 would not qualify for Exempted State status unless that state can provide data to indicate that the number of persons so excluded is small (see E below).

Issue C: Candidate issues for inclusion in Measurable Benchmarks for improved coverage of license/registry frame:

1. Senior exemptions: provide identification and contact information for exempted seniors;
2. Lifetime and multi-year licenses: refresh address and contact information annually (or some other period);
3. Combination licenses: earmark license holders who intend to fish in salt water, or who did so in the prior year.

The Team discussed the practical realities for states in getting the above information into their license data bases. In some cases it may be possible for states to get the information via administrative and/or regulatory actions. In others, legislation may be necessary. The Team concluded that the information is essential to the eventual building of complete registry data bases, and that each of these issues should be included in the measurable benchmarks. The key issues will be the time required to implement and the cost to the states associated with securing the information. The time is addressed in Issue D below. The Team will point out the cost concerns in its report to the ESC.

Issue D: Alternate time frames for achieving Measurable Benchmarks:

1. 1/1/09
2. 1/1/11
3. other

The Team agreed that states could not be expected to hit the benchmark measures by January of 2009. It was proposed that a two-step measure be adopted whereby states

would retain their Exempted State status if they had put the necessary administrative and regulatory provisions in place to attain the three benchmarks noted in Issue C above by January 1, 2011, and to begin to deliver the data in that calendar year. A second step would be added to require a specified measure of performance (e.g. provide identification and contact information for 95% of exempted senior anglers) by a date certain tbd subsequent to 2011. The Team will establish those specific benchmarks and deadlines following ESC review of the Approach.

Issue E: Alternatives to achieving Benchmarks or to eliminating unacceptable exemptions: Will we include a provision that will confer Exempted State status on a state which provides either: (a) statistically valid correction factors to adjust for the bias that could be associated with an exempted category of anglers, or; (b) demonstrates statistically that a given category of exempted anglers does not result in a biased effort estimate?

The Team will confer with the Analysis Work Group to determine whether we can pre-determine sample sizes below which we can be unconcerned about bias. In general, the Team will not recommend substitution of statistical “correction factors” or similar equivalency arguments. The Team does believe that exemptions or benchmark issues that involve a small proportion of anglers and angler effort can be accepted. After consultation with the Analysis Work Group, the Team will recommend how we define such a small proportion.

Issue F: Consider the question of whether state licenses which are required only to fish in state waters, and not to possess fish regardless of where taken, constitute the equivalent of a state license exemption and if so whether such an exemption is of concern.

The Team concluded that it is not concerned that this issue rises to the level of a state license exemption, and will not recommend that Exempted State status be affected by whether its license applies to possession. However, the Team does believe that it is highly preferable for state licenses to cover possession.

II. The Team’s proposed “Hybrid Approach” would allow, as provided in the MSRA, states to receive Exempted State status if state data is used to assist in completing surveys of recreational fishing. The Team discussed what kinds of state survey data would be accepted as an alternative to submitting state license/registry data. The Team will recommend the following be required of state survey programs in order for state to receive Exempted State status:

A. State survey data must be part of a Regional survey. Define the regions as: Western Pacific: Alaska; Pacific (i.e. Pacific RecFIN); Gulf (i.e. RecFIN SA); Caribbean; Atlantic (i.e. ACCSP).

B. Surveys must utilize angler registry frames.

C. Surveys must be approved by NMFS as meeting national survey design and data collection standards

4. Discussion of Components of Proposed Rule

The Team reviewed a preliminary outline (Attachment # 2) of the components of a proposed federal rule to implement the registry program approach as developed by the Team. No comments or additions were suggested during the meeting. The Team members will provide comments to Mr. Colvin over the next two weeks.

5. Other Business

a. Issue raised by Mr. Donofrio regarding the distinction between a Registry and Licenses. This issue was deferred until Mr. Donofrio is present to discuss it with the Team.

b. Updates: Mr. Colvin briefed the Team on the status of several pending actions including: hiring of a Data Manager for the Registry Data Base by ST6; upcoming meetings and events at which MRII and Registry presentations will be made; status of the Communication and Education Plan.

c. Incentives and financial support to states. It has been noted that states have increasingly been asking for consideration of federal assistance in meeting the costs of delivering registry data. The Team bookmarked this issue for further discussion at its next meeting, and will also make the ESC aware of the states' interest.